



PUBLIC NOTICE

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FEDERAL COMMUNICATIONS COMMISSION
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CLARIFICATION OF FM APPLICATION PROCESSING PROCEDURES IN LIGHT OF THE ADOPTION OF NEW RULES IN BC DOCKET 80-90

The new rules adopted in BC Docket 80-90 became effective on March 1, 1984. A number of questions about application processing procedures have been raised since then. This notice will clarify those procedures.

1. Applications will be processed without regard to potential conflicts with allotments proposed in BC Docket 84-231 (the omnibus rulemaking) or counter proposals filed pursuant to that docket until the proposed final list of allotments is prepared. At that time, staff will attempt to resolve any conflicts that may occur between the allotment list and applications pending or granted. Resolution may take the form of channel substitution or site restrictions. This modifies the position taken in the December 9, 1983 Public Notice (Implementation of BC Docket 80-90) and applies to applications filed after December 16, 1984.
2. The new rules will be applied to all pending applications regardless of when filed. If an application filed before March 1, 1984 was acceptable under the old rules but is not under the new (e.g. 2nd or 3rd adjacent channel short spacing), the new rules will be automatically waived.
3. Applications filed for Class B or C channels before March 1, 1984 that do not meet minimum standards for full Class B or C facilities will be processed as filed. Amendments to these applications filed after March 1, 1984 will also be processed as filed. If such applications are granted, the permittees will have until March 1, 1987 to upgrade to full B or C facilities or be reclassified.
4. Applications for new stations filed on or after March 1, 1984 for Class B or C allotments will not be accepted unless they meet at least the minimum facilities for Class B or C.

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5. Applications to change facilities filed after March 1, 1984 by existing stations will be presumed to be requests for reclassification to B1, C1 or C2, as appropriate, if the proposed facilities do not meet the minimum standards for Class B or C facilities. If and when such applications are granted, the table of allotments will be changed to reflect the new classification. After the table is changed, restoration of Class B or C status will require a rulemaking.

Questions regarding these procedures should be directed to Ray LaForge 632-6908.

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